

THE ARKANSAS STATE BOARD OF EDUCATION

**IN RE THE MATTER OF:
PHILLIP LANE SCOGGINS
FEBRUARY 13, 2020**

PLSB CASE NO. 19-142

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

At its regular meeting on February 13, 2020, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Hearing Subcommittee (Hearing Subcommittee) for disciplinary action against the teaching license of Phillip Lane Scoggins (Educator Scoggins). Based upon Educator Scoggins's acceptance of the Hearing Subcommittee's recommendation and the evidence presented, in accordance with the Administrative Procedure Act, Ark. Code Ann. 25-15-101 et seq., the Board hereby states as follows:

I. Findings of Fact

- a. The Arkansas Department of Education issued Educator Scoggins a standard five-year teaching license on January 1, 2017, valid until December 31, 2021.
- b. The Professional Licensure Standards Board Ethics Subcommittee (Ethics Subcommittee) received an allegation that Educator Scoggins violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators promulgated pursuant to Ark. Code Ann. § § 6-17-422 and 6-17-428.
- c. On May 3, 2019, the Ethics Subcommittee authorized an investigation into allegations that Educator Scoggins violated Standard 2: an educator maintains competence regarding his or her professional practice inclusive of skills, knowledge, dispositions, and responsibilities relating to his or her organizational position and

Standard 4: an educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.

- d. Educator Scoggins was notified on May 3, 2019, of the Ethics Subcommittee's authorization to investigate this allegation.
- e. After considering the investigator's report and evidence on October 4, 2019, the Ethics Subcommittee unanimously found that a preponderance of evidence existed to substantiate violation of Standard 2 and 4 of the Code of Ethics. Educator Scoggins rejected the Ethics Subcommittee's recommendation and requested an evidentiary hearing.
- f. On December 18, 2019, Educator Scoggins appeared for his evidentiary hearing before the Hearing Subcommittee. After consideration of the testimony, evidence, and arguments presented at the evidentiary hearing, the Hearing Subcommittee found that a preponderance of evidence existed to substantiate violation of Standard 2 and 4 in that Educator Scoggins:

- Exhibited an inappropriate disposition inclusive of professional and ethical behavior
- Misused public property

- g. The Hearing Subcommittee recommended that the State Board take the following actions:
 1. Suspension of license for 2 years;
 2. Assess a \$500 fine (due within 90 days of State Board Order);
 3. Require Educator to complete the following coursework/readings (due within 30 days of suspension end):
 - (i) ERC19048: Professional Licensure Standards Board (PLSB): The Code of Ethics Training Video (2018); Credit Hours: 1

- (ii) Title: Why Can't I Stop?: Reclaiming Your Life from a Behavioral Addiction (232p); Author: Jon E. Grant, Brian L. Odlong, and Samuel R. Chamberlin; ISBN 10: 1421419661; ISBN 13: 978-1421419664
- (iii) Title: The Ethical Teacher (192p); Author: Elizabeth Campbell; ISBN 10: 0335212182; ISBN 13: 978-0335212187
- (iv) Title: The 85% Solution: How Personal Accountability Guarantees Success -- No Nonsense, No Excuses (256p); Author: Linda Galindo; ISBN 13: 9780470500163

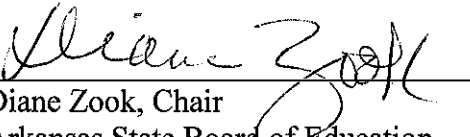
- 4. Require Educator to prepare written reflections for each training: that explains how training will impact educator's professional practices (due within 30 days of the suspension end); and
- 5. Require Educator to pay all associated costs.

- h. On December 20, 2019, Educator Scoggins's attorney was notified of the Hearing Subcommittee's final determination and recommendation by first class and certified mail. Educator Scoggins accepted the Hearing Subcommittee's recommendation thereby waiving his right to any further notice, hearing, or any other rights he may have under the Administrative Procedure Act, including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- i. At today's meeting, the Hearing Subcommittee's recommendation and supporting documentation were presented to the Board as part of its Action agenda.

II. Conclusions of Law

- a. Upon consideration of the evidence presented at the meeting, Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, the Board adopts the Hearing Subcommittee's recommendations, and enacts the sanctions accordingly. The Board admonishes Educator Phillip Lane Scoggins for his violation of the Code of Ethics.
- b. Educator Scoggins is cautioned that his non-payment of the assessed fine of \$500 may result in the continued suspension of his license until the fine is paid in full.
- c. Educator Scoggins is cautioned that further violations of the Code of Ethics may result in more severe discipline including permanent revocation of his license.
- d. This order shall remain permanently in Educator Scoggins's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.


Diane Zook, Chair
Arkansas State Board of Education